

Appl. No. 09/818,125
Amdt. Dated September 12, 2007
Reply to Office Action of July 5, 2007

Attorney Docket No. 81747.0191
Customer No.: 26021

REMARKS

This application has been carefully reviewed in light of the Office Action dated July 5, 2007. Claims 1-23 remain in this application. Claims 1, 16, 22, and 23 are the independent Claims. Claims 1, 3, 12-16, and 18-23 have been amended. It is believed that no new matter is involved in the amendments or arguments presented herein. Reconsideration and entrance of the amendment in the application are respectfully requested.

Non-Art Based Rejections

Claims 1-15, 16, 22, and 23 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Applicant respectfully traverses the rejection, and asserts that the claims as amended are patentable under § 112.

Regarding Claims 1-15, the Action queries whether the “said server system” referred to “a server system” or “another server system” in independent Claim 1. In response, Applicant has amended independent Claim 1 to recite “a first server system” and “a second server system,” “a first POS system” and “a second POS system,” and “a first POS terminal device” and “a second POS terminal device.” The “said server system” recited in independent Claim 1 thus refers to “a first server system.”

Amended independent Claim 1 further recites that the input information includes advertising placement information. The first server system includes control means that controls printing the advertisement placement information on the first POS system coupled to the first server system. The first server also includes distributing means that distributes at least a part of the advertising placement information to the first POS system coupled to the first server system, and to the second server system.

Applicant respectfully notes the Action's construction of independent Claim 1 is inaccurate. In particular, the Action recites "Part of the input information (excluding the advertising placement information) is distributed to the (first) POS system and to the other server." (*The Action at page 3, lines 2-3*). The claims of present invention do not recite that the advertising placement information is excluded from being distributed to the second server system. The input information including advertising placement information may be distributed to both the first and second server systems and POS systems.

The Action further recites "the input information is distributed to the second server but is not printed on the POS system that is coupled to the server." (*The Action at page 3, lines 6-7*). Again, the same input information that is distributed to the second server system may also be distributed to the server system and printed in the first POS system.

In summation, the claims of present invention do not exclude distribution of the advertising placement information to the second server system as the Action asserts.

Regarding independent Claim 16, the Action queries the different between the "advertising information" and the "advertising placement information." Applicant respectively notes that the "advertising placement information" is defined broadly in Applicant's specification. In particular, FIG. 10 of Applicant's specification illustrates that the "advertising placement information" includes information generally related to the advertisement, including the advertising content. Accordingly, Applicant has amended independent Claim 16 to recite the "advertising placement information," rendering the usage of the term "advertising placement information" consistent with Applicant's specification.

Appl. No. 09/818,125
Amdt. Dated September 12, 2007
Reply to Office Action of July 5, 2007

Attorney Docket No. 81747.0191
Customer No.: 26021

Amended independent Claim 16 recites a step of receiving and storing input information containing advertising placement information provided by the client PC. The advertising placement information is registered in the first POS system. The advertisement as specified by the registered advertising placement information is outputted by the printing device in the first POS system. Amended independent Claim 16 does not recite the second POS system outputting the advertisement, but does not in anyway preclude that function.

Regarding independent Claim 23, the Action queries whether that claim should be directed to the first server because all the recited elements are directed to a single device. In response, Applicant has amended that claim to direct to the first server.

Moreover, Claims 22 and 23 were rejected for inconsistencies. Applicant has amended those claims to remedy those issues.

Accordingly, reconsideration and withdrawal of the above § 112 rejections are respectfully requested.

Art-Based Rejections

Claims 1-15 were rejected under 35 USC § 103(a) over U.S. Patent No. 6,334,109 (Kanevsky) in view of U.S. Patent No. 6,430,603 (Hunter); Claims 16-21 were rejected under § 103(a) over U.S. Patent No. 6,401,074 (Sleeper) in view of U.S. Patent No. 6,650,429 (Hunter '429); Claims 22 and 23 were rejected under § 103(a) over Hunter in view of Sleeper.

Applicant notes that the rejection of Claims 16-21 was possibly erroneously stated as being over Sleeper in view of U.S. Patent No. 6,650,429 to Hunter. The inventor of U.S. Patent No. 6,650,429 is Marshall et al, and not Hunter. Applicant assumes that rejection is directed to U.S. Patent No. 6,430,603 to Hunter.

Appl. No. 09/818,125
Amdt. Dated September 12, 2007
Reply to Office Action of July 5, 2007

Attorney Docket No. 81747.0191
Customer No.: 26021

Applicant respectfully traverses the rejections and submits that the claims herein are patentable in light of the clarifying amendments above and the arguments below.

The Kanevsky Reference

Kanevsky is directed to a method for producing an advertisement that is personalized to a particular user for a current transaction and is presented to such user at the point of sale or transaction terminal. The transaction terminal produces current transaction data that includes customer identity, and goods/services being purchased and their prices. The current transaction data is sent to an advertisement server via a network such as the Internet. The advertisement server uses a user database, a goods database and an advertisement database to locate an existing advertisement or create a new advertisement that is personalized to the particular user. The personalized advertisement is sent to the transaction terminal for presentation to the user by displaying or printing on a sales receipt (*Kanevsky Abstract*).

The Hunter Reference

Hunter is directed to a system and method of permitting commercial advertisers to directly send advertisements electronically to the network for display at locations and times selected by the advertisers. (*Hunter at col. 1, lines 7-18*). According to Hunter, the system includes a network having a plurality of electronic displays. A customer of the system accesses the system via the internet. (*Hunter at col. 2, lines 50-66; col. 2, line 66 – col. 3, line 6; and Fig. 1*).

Appl. No. 09/818,125
Amdt. Dated September 12, 2007
Reply to Office Action of July 5, 2007

Attorney Docket No. 81747.0191
Customer No.: 26021

The Sleeper Reference

Sleeper is directed to a method and system for displaying and/or broadcasting promotional and informational messages to a customer during a retail transaction. (*Sleeper at col. 1, lines 5-10*). According to Sleeper, an augmented point-of-sales (POS) system including capabilities for real-time displaying and broadcasting of commercial information is provided. Each front-end POS is augmented with an auxiliary display for presenting promotional information to a customer during the course of a retail transaction. (*Sleeper at col. 1, lines 51-57*).

The Claims are Patentable Over the Cited References

The present application is generally directed to a system and method for printing advertising information on a receipt issued by a point-of-service (POS) terminal.

As defined by amended independent Claim 1, a network system has a first server system coupled to a first POS system having a first POS terminal device, and connected to a client PC via the Internet and to a second server system coupled to a second POS system having a second POS terminal device. The first POS terminal device has at least a display device and a printing device. The first server system includes (a) means for storing an application page containing an advertising placement application form, (b) means for sending the application page containing the application form to the client PC in response to a request from the client PC, (c) means for receiving and storing input information containing advertising placement information provided by the client PC in accordance with the application form, (d) means for distributing at least the advertising placement information to the first POS system coupled to the first server system and to the second server system coupled to the second POS system; and (e) control means for controlling printing

advertisement specified by the advertising placement information on the first POS system coupled to the first server system.

The applied references do not disclose or suggest the above features of the present invention as defined by amended independent Claim 1. In particular, Kanevsky, Sleeper, and Hunter do not disclose or suggest the first server system includes "(d) means for distributing at least a part of the advertising placement information to the first POS system coupled to the first server system and to the second server system coupled to the second POS system" as recited in that claim.

The Action relies on Kanevsky as disclosing that feature. The Action identifies local server 107 and shopping server 105 as the first server system and the gas pump 118, ticket machine 116, or printer server 127 as the second server system recited in amended independent Claim 1. Applicant assumes the cash register 103, card reader 104, video camera 102, printer 106, and the card reader 101 are the first POS system coupled to the local server 107 and shopping server 105 (first server system).

However, Kanevsky teaches that the gas pump 118, ticket machine 116, or printer server 127 (the second server system) receives the advertising information from the advertisement server 112, and not local server 107 and shopping server 105 (the first server system). In particular, Kanevsky recites the following:

Another sales system with embedded printers shown in FIG. 1 is gas pump 118. Typically, gas pump 118 contains a card reader and printer so as to obtain the customer's identity and charge account data as well as to print a receipt. The current transaction data (customer identity, goods/services and price) is communicated to advertiser server 112 via network 130. Advertising server 112 responds to send to gas pump 118 an advertisement based on information concerning the particular customer that is stored in database 114. (Kanevsky at col. 6, lines 28-37; emphasis added by Applicant).

Ticket sale machine 116 is associated with a video camera 117 that captures an image of the physical appearance of a particular customer who is purchasing a ticket. This image data can be packaged with the current transaction data and communicated to advertising server 112 for a personalized advertisement that can be printed on an unused space of the ticket. (*Kanevsky at col. 6, lines 38-45; emphasis added by Applicant*).

Printer server 127 can alternatively be used in a network environment where several users share printers 126 and 125. Since the identity of a particular user is usually known to printer server 127, say printer 125, this computer system can send the particular user identity to advertising server 112. Advertising server 112 can send an advertisement personalized to the particular user for printing on documents at printer 125 for the particular user. (*Kanevsky at col. 6, lines 53-60; emphasis added by Applicant*).

As demonstrated above, the gas pump 118, ticket machine 116, or printer server 127 (the second server system) receives the advertising information from the advertisement server 112. Kanevsky does not disclose or suggest that the local server 107 or shopping server 105 (the first server system) sending advertising information to the second server system as recited in amended independent Claim 1.

In contrast, amended independent Claim 1 recites that the server includes means for distributing at least a part of the advertising placement information to the first POS system coupled to the first server system, and to a second server system. FIG. 1 of Applicant's specification illustrates an embodiment of the claimed invention. The application/distribution server 1 (the ADS server) is the first server system and coupled to a first POS system 3a(3), 3b(3), 3c(3). The ADS server 1 controls, inter alia, the printing of the advertisement on the first POS system. The ADS server 1 also distributes at least part of the advertisement placement information to a second server 6 (*Applicant's Specification at page 8, lines 3-5*). The

Appl. No. 09/818,125
Amdt. Dated September 12, 2007
Reply to Office Action of July 5, 2007

Attorney Docket No. 81747.0191
Customer No.: 26021

second server 6 is coupled to a second POS system 7 and 3d(3), 3e(3), 3f(3). Sleeper and Hunter do not disclose or suggest at least that feature. FIG. 10 of Applicant's specification illustrates that the "advertising placement information" includes information generally related to the advertisement, including the advertising content (*see also Applicant's specification at page 9, lines 5-12*).

Accordingly, Kanevsky does not disclose or suggest the features of amended independent Claim 1. Sleeper and Hunter are not seen to remedy the deficiencies of Kanevsky.

Since the applied references do not disclose or suggest all features of independent Claim 1 as amended, that claim is believed to be allowable over the applied references.

Accordingly, amended independent Claim 1 is believed to be in condition for allowance and such allowance is respectfully requested.

Applicant respectfully submits that independent Claims 16, 22, and 23 reciting similar features as amended independent Claim 1 are also allowable for at least the same reasons as those discussed above in connection with independent Claim 1, and such allowance is respectfully requested.

The remaining Claims depend either directly or indirectly from independent Claims 1, 16, 22, and 23 and recite additional features of the invention which are neither disclosed nor fairly suggested by the applied references, and are therefore also believed to be in condition for allowance, and such allowance is respectfully requested.

Appl. No. 09/818,125
Amdt. Dated September 12, 2007
Reply to Office Action of July 5, 2007

Attorney Docket No. 81747.0191
Customer No.: 26021

Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4721 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: September 12, 2007

By: 
Dariush G. Adli
Registration No. 51,386
Attorney for Applicant(s)

1999 Avenue of the Stars, Suite 1400
Los Angeles, California 90067
Phone: 310-785-4600
Fax: 310-785-4601